

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
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-v-	:	17-CR-548 (JMF)
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JOSHUA SCHULTE,	:	<u>ORDER</u>
	:	
Defendant.	:	
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JESSE M. FURMAN, United States District Judge:

Following the conference in this matter held on April 21, 2023, the Court contacted officials at the Metropolitan Detention Center (“MDC”) regarding the issues and requests that Defendant had raised, namely: (1) Defendant’s request for permission to exchange documents with standby counsel; and (2) Defendant’s contention that he does not have — and, in the period leading up to his deadline to file a reply in support of his Rule 29/33 motion, did not have — regular access to pens, paper, typewriter, and stamps. *See also* ECF No. 1037. Yesterday, the Court received the following report by email from an official at the MDC:

Regarding passing documents, Mr. Schulte will be permitted to pass documents for filing with the Court to his standby counsel. MDC will need some time to notify the staff affected but this should be in place in the near future.

Regarding access to typewriters, I do not know the specific contours of Mr. Schulte’s complaint to the Court, but in general, there is a typewriter in what is labelled as the “law library” area of Mr. Schulte’s housing unit; Mr. Schulte need only ask the correctional officer assigned to his housing unit to access it. As I understand it, Mr. Schulte utilizes this typewriter quite often. According to MDC staff, Mr. Schulte is provided all of the paper he needs. I understand there was some back-and-forth between Mr. Schulte and MDC staff on typewriter ribbons - typewriter ribbons are available for inmates to purchase in Commissary. Mr. Schulte was provided one ribbon free of charge, but, as I understand it, has been resistant to purchasing additional typewriter ribbons, and indicated to MDC staff he would attempt to compel staff to provide him additional typewriter ribbons free of charge by involving counsel and/or the Court.

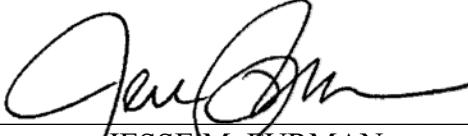
Regarding stamps, in general, stamps are available to MDC inmates, including Mr. Schulte, via MDC’s commissary. Each “shopping trip” to MDC’s Commissary (inmates may shop in MDC’s Commissary every other week), Mr. Schulte is permitted to buy one book containing twenty Forever stamps, so, essentially, 40 stamps per month. If Mr. Schulte needs to mail additional pieces of

legal mail, but does not have sufficient stamps to do so, Mr. Schulte may present a written request to the Unit Manager for his unit; upon MDC's staff's verification that the mailing was indeed legal mail, Mr. Schulte may be provided additional stamps so that the legal mail can be sent out. I'm trying to make sense of Mr. Schulte's representation to the Court regarding only being able to purchase one stamp: this, again, is speculation on my part, but Mr. Schulte may be referring to some confusing language on the Commissary List for his housing unit, which could plausibly be read as permitting inmates to only purchase one stamp at a time. This is not and never has been the reality of the situation, but, to eliminate any doubt, I am informed that MDC Commissary staff are working on a corrected Commissary List, that will eliminate this discrepancy.

Regarding a limit to paper and pens in February or March, I am not sure to what Mr. Schulte refers here? Mr. Schulte is permitted use of "flexi-pens" that he can obtain from his Unit Team. I am told these pens come in boxes of fifty, and will occasionally run out and need to be replenished - perhaps that's what Mr. Schulte is referring to here? Regardless, Mr. Schulte's Unit Manager will provide Mr. Schulte two "regular" pens tomorrow.

SO ORDERED.

Dated: May 16, 2023  
New York, New York

  
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JESSE M. FURMAN  
United States District Judge